



#4 1656

Attorney Docket No. GENO200.2/CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER ET AL.

SERIAL NO.: 10/098,600

FILED: MARCH 14, 2002

TITLE: METHODS TO IDENTIFY POLYNUCLEOTIDE  
AND POLYPEPTIDE SEQUENCES WHICH MAY  
BE ASSOCIATED WITH PHYSIOLOGICAL AND  
MEDICAL CONDITIONS

EXAMINER:

ART UNIT: 1656

CONF NO.: 9206

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being filed under 37 CFR § 1.97(b). This Statement is filed within at least one of the following time periods:

- (a) within three months of the filing date of a national application (other than a CPA under 37 CFR § 1.53(d));
- (b) within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application;
- (c) before the mailing of a first Office Action of the merits; or
- (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114.

No fee is believed to be due in this instance. However, the undersigned hereby authorizes the charging of any fees created by the filing of this document to Deposit Account No. 19-5117.

The filing of this Information Disclosure Statement shall not be construed as an

37 CFR 1.8

CERTIFICATE OF MAILING

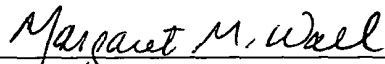
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Assistant Commissioner for Patents, Washington, D.C. 20231 on 6/13/02

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Name: Tasha L. Cove

admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

  
Margaret M. Wall, #33,462  
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cc: Ginny Orndorff

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FORM PTO-1449

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List of Information Cited by Applicant

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## U.S. PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	AA	5,602,005	02/ /97	Herr et al.			
	AB						

## FOREIGN PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	AC	EP 120658	1984	Europe			
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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AE	Alter et al. (1984) Science 226:549-552	✓
	AF	Burger et al. (1994) J. Mol. Evol. 39:255-267	✓
	AG	Edwards et al. (1995) Molecular Ecology 4:719-729	✓
	AH	Endo et al. (1996) Mol. Biol. Evol. 13:685-690	✓
	AI	Fournier et al. (1988) J. Gen. Virol. 79:2367	✓
	AJ	Fultz et al. (1986) Journal of Virology 58:116-124	✓
	AK	Gibbons (Sep. 1998) Science 281: 1432-1434, website www.sciencemag.org.	✓
	AL	Goodman et al. (1990) J. Mol. Evol. 30:260-266	✓
	AM	Goodwin et al. (1996) Mol. Biol. Evol. 13:346-358	✓
	AN	Herbert et al. (1996) Mol. Biol. Evol. 13:1054-1057	✓
	AO	Hughes (1997) Mol. Biol. Evol. 14:1-5	✓
	AP	Hughes and Nei (1988) Nature 335:167-170	✓
	AQ	Huttley et al. (2000) Nature Genetics 25:410-13	✓
	AR	Jaeger et al. (1994) Immunogenetics 40:184-191	✓
	AS	Jenkins et al. (1995) Proc. R. Soc. Lond. 261:203-207	✓
	AT	Kitamura et al. (1994) Eur. J. Biochem. 224:877-83	✓
	AU	Kreitman and Akashi (1995) Annu. Rev. Ecol. Syst. 26:403-422	✓
	AV	Lee and Vacquier (1992) Biol. Bull. 182:97-104	✓
	AW	Lee et al. (1998) Aids Research and Human Retroviruses 14:1323-1328	✓
	AX	Li (1993) J. Mol. Evol. 36:96-99	✓
	AY	Li (1997) in Molecular Evolution, Sinauer Associates, Inc. Pub., Sunderland, MA, Table of Contents	✓
	AZ	Li et al. (1985) Mol. Biol. Evol. 2:150-174	✓
	AAA	Lienert and Parham (1996) Immunol. Cell Biol. 74:349-356	✓
	AAA	Lyn et al. (1995) Gene 155:241-245	✓
	AAB	Malcolm et al. (1990) Nature 345:86-89	✓

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DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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## FOREIGN PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	BB						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BC	McDonald and Kreitman (1991) Nature 351:652-654
BD	Messier and Stewart (1994) Current Biology 4:911-913
BE	Messier and Stewart (1997) Nature 385:151-154
BF	Metz and Palumbi (1996) Mol. Biol. Evol. 13:397-406
BG	Nakashima et al. (1995) Proc. Natl. Acad. Sci. USA 92:5605-5609
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BJ	Niewiesk and Bangham (1996) J. Mol. Evol. 42:452-458
BK	Novembre et al. (1997) Journal of Virology 71:4086-4091
BL	Parham and Ohta (1996) Science 272:67-74
BM	Patzwahl et al. (2000) J. Virology 75(3):1332-38
BN	Rumin et al. (199) J. Gen. Virology 80:3007
BO	Sharp (1997) Nature 385:111-112
BP	Swanson & Vacquier (1995) Proc. Natl. Acad. Sci. USA 92:4957-4961
BQ	Swanson and Vacquier (1998) Science 281:710-712
BR	Wettstein et al. (1996) Mol. Biol. Evol. 13:56-66
BS	Whitfield et al. (1993) Nature 364:713-715
BT	Wolinsky et al. (1996) Science 272:537-542
BU	Wu et al. (1997) J. Mol. Evol. 44:477-491
BV	Xu et al. (1997) Human Mol. Genetics 6(7):1057-62
BW	Yang (1998) Mol. Biol. Evol. 15:568-573
BX	Zhou and Li (1996) Mol. Biol. Evol. 13:780-783
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